

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Connick to Reengrossed Senate Bill No. 351 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "R.S." insert "R.S. 33:2740.20 and"

AMENDMENT NO. 2

On page 1, line 3, after "district" insert a semicolon and delete the remainder of the line and delete lines 4 and 5 in their entirety and insert "to authorize the governing authorities of parishes and municipalities to create local transportation districts; to authorize the levy of a tax on certain automobiles for certain purposes; to require approval of the tax by the"

AMENDMENT NO. 3

On page 1, between lines 10 and 11, insert the following:

"Section 1. R.S. 33:2740.20 is hereby enacted to read as follows:

§2740.20. Local transportation districts; creation; governance; powers and duties

A. Findings and purpose. (1) The legislature finds that the citizens of the state can benefit by the cooperation of the public and private sectors in addressing transportation needs. This cooperation can be fostered through enhanced capability for municipalities and parishes to make and fund transportation improvements and to improve the performance of transportation systems.

(2) The legislature recognizes that transit arteries such as roadways, bridges, and ferries are vital to the economic development of the state and its political subdivisions. It is the intent of the legislature to encourage joint efforts by the state, local governments, and the private sector to respond to special transportation needs including but not limited to capital improvements, roadway maintenance, ferry boat, terminal and landing maintenance, lighting, policing, trash collection, and landscaping. This goal can be better achieved by allowing parishes and municipalities to establish local transportation districts in order to more aptly respond to these transportation needs.

B. Creation. The governing authority of any parish or municipality may create, by ordinance, a local transportation district, referred to in this Section as the "district", as a political subdivision of the state as defined in the Constitution of Louisiana.

C. Boundaries. The boundaries of the district shall be as provided in the ordinance creating the district.

D. Governance. (1) The district shall be governed by a board of commissioners, referred to in this Section as the "board". The board shall be comprised of members as provided in the ordinance creating the district except that all members shall have an expertise in one of the following areas: engineering, finance, law, and management.

(2) The members of the board shall serve without compensation.

E. Powers and duties. The district, acting through its board, shall have the following powers and duties:

(1) To have a corporate seal.

(2) To acquire by purchase, gift, devise, lease, or other mode of acquisition, to hold, pledge, encumber, lease, and dispose of immovable and movable property of every kind within its territorial jurisdiction, whether or not subject to mortgage or any other lien.

(3) To make and enter into contracts, conveyances, mortgages, deeds or trusts, bonds, and leases in the carrying out of its corporate objectives, including but not limited to contracts for the legal services of a special counsel.

(4) To let contracts for the construction or acquisition in any other manner of property and facilities incident to the carrying out of the corporate purposes of the district, which contracts shall be let as otherwise provided by law.

(5) To incur debts and borrow money, but no debt so incurred shall be payable from any source other than the revenues to be derived by the district.

(6) To pledge all or any part of its revenues.

(7) To enter into agreements of any nature with any person, corporation, association, or other entity, including public corporations, political subdivisions, federal and state agencies and instrumentalities of every kind, for the operation of all or any part of the properties and facilities of the district.

(8) To purchase or construct all works and facilities necessary or convenient to the exercise of the powers provided in this Subsection and to accomplish the purposes specified in this Section, and to purchase or otherwise acquire, within its territorial jurisdiction all immovable and movable property necessary or convenient for carrying out such purposes.

(9) The district is deemed not to be an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

F. Motor vehicle tax. (1) The district, acting through its board, is hereby authorized to impose and collect a motor vehicle license tax, referred to in this Section as the "tax", within the district subject to and in accordance with the provisions of this Subsection:

(2) The district, acting through the board, shall impose an annual tax of not more than one dollar per each one thousand dollars of actual value on automobiles for private use based on the actual value of the vehicle, as provided by law. However, the annual license tax shall not be less than ten dollars per automobile for private use. On other motor vehicles, the district shall impose an annual license tax based upon carrying capacity, horsepower, value, weight, or any of these. The district shall provide the same classifications and rates as provided in R.S. 47:451 et seq.

(3)(a) The tax shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district who vote on the proposition at an election held for that purpose in accordance with the Louisiana Election Code. No other election shall be required except as provided by this Paragraph.

(b) If approved, the tax shall expire on December 31, 2032, but the tax may be renewed if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in Subparagraph (a) of this Paragraph. If the tax is renewed, the term of the imposition of the tax shall be as provided in the proposition authorizing such renewal, not to exceed eight years.

(4) The district may enter into a cooperative endeavor agreement with the Department of Public Safety and Corrections to provide for the collection of the tax. The department shall remit to the district all amounts collected not later than sixty days after collection.

(5) The proceeds of the tax shall be used solely and exclusively for the maintenance of the area included within the district, including but not limited to capital improvements, roadway maintenance, ferry boat, terminal and landing maintenance, lighting, policing, trash collection, and landscaping.

G. Budget. (1) The board shall adopt an annual budget in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

H. Cooperation with federal and state agencies. The district, acting through the board, may cooperate with the government of the United States and may contribute financially to the expense of such improvement projects as are or may be authorized or adopted by the United States; it may also cooperate with all agencies, departments, and political subdivisions of the state of Louisiana in all undertakings, the purpose of which shall be the furtherance of the objects and purposes for which the district is created, and the authority to cooperate with any such agency of the state or federal government shall include the authority to contract with any such agency and to accept any grant or gratuity made for any of the purposes of this Section.

I. Authority of state agencies to cooperate; construction of facilities. (1) There is hereby expressly conferred upon the state of Louisiana, its departments, and agencies and upon the subdivisions of the state, the authority to cooperate with the board to make contributions or grants to the district for any of the purposes of this Section and to enter into contracts and agreements with the district in furtherance of any of the purposes of this Section.

(2) The district may locate, construct, operate, and maintain any of its works or facilities over, under, through, in, or along any of the lands which are the property of the state or of any political subdivision, institution, agency, or instrumentality thereof, within its territorial jurisdiction provided that a cooperative endeavor is agreed to and executed between the district and the appropriate state entity.

(3)(a) The district and its authorized agents and employees may have the privilege of entering upon any lands, waters, and premises in the district for the purpose of making surveys, examinations, and appraisals as it may deem necessary or convenient for the purpose of this Section.

(b) The district shall make reimbursement for any actual damages resulting to such lands, waters, or premises as a result of such activities.

J. This Section is intended to carry out a function of the state to protect the health and welfare of its inhabitants affected by the provisions of this Section and shall be liberally construed by the courts to effect its purposes."

AMENDMENT NO. 4

On page 1, at the beginning of line 11, change "Section 1" to "Section 2"